



GAIL FARBER, Director

COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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December 15, 2009

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

55 DECEMBER 15, 2009

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

Dear Supervisors:

**ADOPT RESOLUTION ASSIGNING THE COUNTY OF LOS ANGELES' RIGHT TO APPLY FOR
GRANT FUNDING FROM THE LOS ANGELES COUNTY REGIONAL PARK AND OPEN SPACE
DISTRICT TO THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT FOR THE BIG
TUJUNGA DAM SANTA ANA SUCKER ENHANCEMENT PROJECT AND ADOPT RESOLUTION
AUTHORIZING SUBMISSION OF GRANT APPLICATION AND THE ACCEPTANCE OF GRANT
FUNDS IN CONNECTION THEREWITH
(SUPERVISORIAL DISTRICT 5)
(3 VOTES)**

SUBJECT

These actions will allow the Los Angeles County Flood Control District to apply for \$500,000 of County of Los Angeles excess funds available to the Fifth Supervisorial District from the Los Angeles County Regional Park and Open Space District and accept grant funds for the Big Tujunga Dam Santa Ana Sucker Habitat Enhancement Project, which will restore and enhance habitat for the Santa Ana Sucker, a federally listed (threatened) fish, along Tujunga Wash below Big Tujunga Dam.

IT IS RECOMMENDED THAT YOUR BOARD:

1. Find that the proposed project is exempt from the California Environmental Quality Act, for the reasons stated in this letter and in the record of the project.
2. Approve the project and adopt a resolution assigning the County of Los Angeles' right to apply for \$500,000 of County of Los Angeles excess funds available to the Fifth Supervisorial District, allocated to the County of Los Angeles under the Safe Neighborhood Parks Proposition of 1996, to the Los Angeles County Flood Control District, for the Big Tujunga Dam Santa Ana Sucker Habitat Enhancement Project.

IT IS RECOMMENDED THAT YOUR BOARD ACTING AS THE GOVERNING BODY OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT:

1. Find that the proposed project is exempt from the California Environmental Quality Act, for the reasons stated in this letter and in the record of the project.
2. Approve the project and adopt a resolution authorizing the Chief Engineer of the Los Angeles County Flood Control District or her designee to apply for grant funding for the Big Tujunga Dam Santa Ana Sucker Habitat Enhancement Project, in the amount of \$500,000, from the Los Angeles County Regional Park and Open Space District and, upon approval of said application, accept the grant funds on behalf of the Los Angeles County Flood Control District.
3. Authorize the Chief Engineer of the Los Angeles County Flood Control District or her designee to execute all documents and to take all related actions in connection with the submission of the application and the acceptance of grant funds, including negotiating and executing the grant agreement and signing requests for reimbursement.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended actions is to find that the project is exempt from the California Environmental Quality Act (CEQA) and to enable the Los Angeles County Flood Control District (LACFCD) to apply for \$500,000 of County of Los Angeles (County) excess funds available to the Fifth Supervisorial District from the Los Angeles County Regional Park and Open Space District (Open Space District) for the Big Tujunga Dam Santa Ana Sucker Habitat Enhancement efforts as part of the Big Tujunga Dam Seismic Rehabilitation and Spillway Modification project scope to restore and enhance habitat for the Santa Ana Sucker, a federally listed (threatened) fish, along Tujunga Wash below the Big Tujunga Dam.

The Big Tujunga Dam Santa Ana Sucker Habitat Enhancement Project consists of several elements: (1) LACFCD, in cooperation with the United States Fish and Wildlife Service, the United States Forest Service, the California Department of Fish and Game, and the City of Los Angeles Department of Water and Power will determine beneficial flow regimes for the Santa Ana Sucker by conducting habitat suitability surveys and fish population surveys; installing temperature and stream gages; and developing hydraulic models of the dam and wash; (2) these flow regimes will be used to revise the operational guidelines for low-flow discharges from the dam, to achieve the beneficial flow regimes to the greatest extent feasible; and (3) the revised operational guidelines for low-flow discharges will be implemented using the new low-flow valve, valve house, and control system that will be installed at the dam in connection with the Big Tujunga Dam Seismic Rehabilitation and Spillway Modification Project. These operational changes are expected to commence after construction of the Big Tujunga Dam Seismic Rehabilitation and Spillway Modification Project is completed at the end of 2010.

The grant funds from the Open Space District will be used by the LACFCD to offset the cost of constructing the low-flow valve, valve house, and control systems.

In a related action on your Board's November 3, 2009 agenda, the Open Space District is recommending grant funding for this project. Due to this action, the Department of Public Works (Public Works) is asking that your Board approve an exception to the County's Grant Policy, which requires that all grants be accepted by your Board, and authorize the Director of Public Works acting as Chief Engineer for LACFCD to accept this grant.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provision of Community and Municipal Services (Goal 3). This action actively seeks grant funds to augment the District's funding sources to address potential impact to the Santa Ana Sucker, a federally listed fish present in the wash below the dam.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund.

The estimated cost of the Big Tujunga Dam Santa Ana Sucker Enhancement Project is approximately \$6,300,000. The \$500,000 of grant funding from the Open Space District will be used to offset the cost of constructing the low-flow valve, valve house, and control systems. Funding for the project is included in the Fiscal Year 2009-10 LACFCD Fund Budget. Funds to finance the remainder of the project in Fiscal Year 2010-11 will be made available through Public Works' annual budget process.

Public Works anticipates that LACFCD will also receive the San Gabriel and Lower Los Angeles Rivers and Mountains Conservancy (RMC) grant funding of \$1,000,000 to further offset the costs of this project. Public Works will return to your Board to accept any grant funding from the RMC.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

On June 26, 2007, your Board approved a construction contract with Shimmick Construction Company for the Big Tujunga Dam Seismic Rehabilitation Project. The Santa Ana Sucker, a federally listed (threatened) fish, is present in the wash below the dam. The Endangered Species Act requires that we operate the dam in a manner that does not harm the Santa Ana Sucker.

Public Works currently makes periodic low-flow discharges from the dam for water conservation purposes. The Big Tujunga Dam Santa Ana Sucker Habitat Enhancement Project will include the determination of beneficial flow regimes for the Santa Ana Sucker that will be used to revise the existing operational guidelines for low-flow discharges from the dam. In accordance with those revised guidelines, the new low-flow valve and control systems at the dam will be used to supplement stream flow during dry periods to enhance habitat for the Santa Ana Sucker.

On July 11, 2000, your Board approved the guidelines for the acceptance of State and Federal grants in the amount of \$100,000 or more. These guidelines include a requirement that a County department prepare a Grant Management Statement for your Board's review prior to the department carrying out activities covered under the grant. The enclosed Grant Management Statement for the Open Space District Agreement (Attachment A) has been prepared to conform to this requirement.

The Open Space District Grant Agreement will be reviewed and approved as to form by County Counsel prior to execution by the Director of Public Works in her capacity as the Chief Engineer of the LACFCD or her designee.

ENVIRONMENTAL DOCUMENTATION

On January 31, 2006, Agenda No. 40, your Board adopted the Mitigated Negative Declaration and Mitigation Monitoring Program prepared for the Big Tujunga Dam Seismic Rehabilitation Project. The construction of the new low-flow valve, valve house, and control systems is within the scope of the project addressed in that previously adopted Negative Declaration/Mitigated Negative Declaration.

Additionally, the proposed project is categorically exempt from the provisions of CEQA. The project involves the minor alteration and operation of an existing public facility involving negligible or no expansion of use. The project is therefore within a class of projects that has been determined not to have a significant effect on the environment in that it meets the criteria of Section 15301 of the State CEQA Guidelines, including subsections (e), (i) and (m), and Class 1 of the County's Environmental Document Reporting Procedures and Guidelines, Appendix G, including subsections (g), (l), and (w). In addition, there are no cumulative impacts, unusual circumstances, or other limiting factors that would make the exemption inapplicable based on the project records.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

The recommended actions will enhance the habitat for the threatened Santa Ana Sucker.

CONCLUSION

Please return one adopted copy of this letter and two executed originals of each resolution to the Department of Public Works, Water Resources Division.

Respectfully submitted,



GAIL FARBER

Director

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Enclosures

c: Chief Executive Office (Lari Sheehan)
County Counsel
Executive Office
Los Angeles County Regional Park and Open
Space District

RESOLUTION OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF LOS ANGELES

APPROVING ASSIGNMENT OF RIGHT TO APPLY FOR COUNTY OF LOS ANGELES
EXCESS FUNDS UNDER THE SAFE NEIGHBORHOOD PARKS PROPOSITION
OF 1996 TO THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT

WHEREAS, the Safe Neighborhood Parks Proposition of 1996 allocated funds to the County of Los Angeles to provide funding for the acquisition, development, restoration, and rehabilitation of real property for wildlife habitat, rivers, and streams and significant ecological areas within the County of Los Angeles; and

WHEREAS, the County of Los Angeles may assign its rights to apply for these funds to other agencies to implement the intent of the 1996 Proposition; and

WHEREAS, the Los Angeles County Flood Control District is proposing to implement a project to restore and enhance habitat for the Santa Ana Sucker, a Federally-listed (threatened) fish, along Tujunga Wash below the Big Tujunga Dam (the Big Tujunga Dam Santa Ana Sucker Habitat Enhancement Project) and is requesting \$500,000 in County Excess Funds for said project; and

WHEREAS, the County of Los Angeles Department of Public Works has determined that it is in the County's best interest to assign its rights to apply for these funds to the Los Angeles County Flood Control District; and

WHEREAS, the Los Angeles County Flood Control District will submit an application to the Regional Park and Open Space District to obtain a grant for the above-referenced project and will be required to provide assurances to the Los Angeles County Regional Park and Open Space District that the funds will be expended in accordance with the intent of the 1996 Proposition and the procedural guidelines adopted by your Board.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES that the County of Los Angeles hereby assigns its right to apply for \$500,000 of County of Los Angeles Excess Funds from the Los Angeles County Regional Parks and Open Space District under the Safe Neighborhood Parks Proposition of 1996 to the Los Angeles County Flood Control District for the Big Tujunga Dam Santa Ana Sucker Habitat Enhancement Project.

The foregoing resolution was adopted on the 15th day of December, 2009, by the Board of Supervisors of the County of Los Angeles and ex officio the governing body of all other special assessment and taxing District, agencies and authorities for which said Board so acts.



SACHI A. HAMAI
Executive Officer of the
Board of Supervisors of the
County of Los Angeles

By


Deputy

APPROVED AS TO FORM:

ROBERT E. KALUNIAN
Acting County Counsel

By


Deputy

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RESOLUTION OF THE BOARD OF SUPERVISORS
OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT

AUTHORIZING APPLICATION FOR GRANT FUNDS
UNDER THE SAFE NEIGHBORHOOD PARKS PROPOSITION OF 1996
AND ACCEPTANCE OF SAID FUNDS FOR THE BIG TUJUNGA DAM SANTA ANA
SUCKER HABITAT ENHANCEMENT PROJECT

WHEREAS, the Safe Neighborhood Parks Proposition of 1996 allocated funds to the County of Los Angeles to provide funding for the acquisition, development, restoration, and rehabilitation of real property for wildlife habitat, rivers, and streams and significant ecological areas within the County of Los Angeles; and

WHEREAS, the County of Los Angeles may assign its rights to apply for these funds to other agencies to implement the intent of the 1996 Proposition; and

WHEREAS, the Los Angeles County Flood Control District (LACFCD) is proposing to develop and implement a project known as the Big Tujunga Dam Santa Ana Sucker Habitat Enhancement Project (Project) that will restore and enhance habitat for the Santa Ana Sucker, a Federally-listed (threatened) fish, along Tujunga Wash below the Big Tujunga Dam; and

WHEREAS, the County of Los Angeles has assigned its rights to apply for these funds to the LACFCD for the Project; and

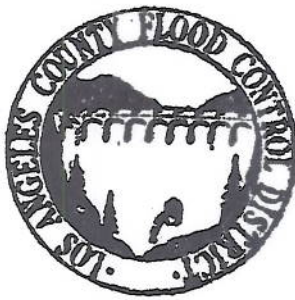
WHEREAS, the funds allocated by Safe Neighborhood Parks Proposition of 1996 are administered by the Los Angeles County Regional Park and Open Space District (the District) and the District has established procedures for the award of grant funds, including adoption of a Resolution by the governing body of the applying entity, authorizing submission of the application and certifying that the applicant will comply with all regulations pertaining to use of the grant funds.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE BOARD OF SUPERVISORS OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT AS FOLLOWS:

1. The Chief Engineer of the LACFCD, or her designee is authorized to apply to the District for a grant of \$500,000 for the Project.
2. The LACFCD will abide by all regulations governing application for and receipt of the grant funds.

3. Upon the approval of the grant application by the District, the Chief Engineer or her designee is authorized to accept the grant funds from the District on behalf of the LACFCD for the Project.
4. The Chief Engineer or her designee is authorized to execute all documents and to take all related actions in connection with the submission of the application and the acceptance of grant funds, including negotiating and executing the grant agreement and signing requests for reimbursement.

The foregoing resolution was adopted on the 15th day of December, 2009, by the Board of Supervisors of the County of Los Angeles acting as the governing body of the Los Angeles County Flood Control District.



SACHI A. HAMAI
Executive Officer of the
Board of Supervisors of the
County of Los Angeles


By


Deputy

APPROVED AS TO FORM:

ROBERT E. KALUNIAN
Acting County Counsel

By


Deputy

KAL:yg

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Los Angeles County Chief Administrative Office

Grant Management Statement for Grants \$100,000 or More

Department: Public Works		
Grant Project Title and Description		
Big Tujunga Dam Santa Ana Sucker Habitat and Enhancement Project Los Angeles County Flood Control District (LACFCD) is seismically retrofitting Big Tujunga Dam to restore its original water storage capabilities. The Santa Ana Sucker (SAS), a threatened species, is located downstream of the facility. LACFCD will install a low-flow valve and control systems to enable release of captured storm runoff to supplement streamflow for restoration and enhancement of downstream riparian habitat within Big Tujunga Creek.		
Funding Agency	Program (Fed. Grant #/State Bill or Code #)	Grant Acceptance Deadline
Regional Park and Open Space District	Proposition A	October 2009
Total Amount of Grant Funding: \$500,000		County Match: \$5,800,000
Grant Period: Pending Execution of Agreement	Begin Date: TBD	End Date: TBD
Number of Personnel Hired Under This Grant:	Full Time: N/A	Part Time: N/A
Obligations Imposed on the County When the Grant Expires		
Will all personnel hired for this program be informed this is a grant-funded program?	N/A	
Will all personnel hired for this program be placed on temporary ("N") items?	N/A	
Is the County obligated to continue this program after the grant expires?	N/A	
If the County is not obligated to continue this program after the grant expires, the Department will:		
a.) Absorb the program cost without reducing other services	N/A	
b.) Identify other revenue sources (describe below)	N/A	
c.) Eliminate or reduce, as appropriate, positions/program costs funded by the grant.	N/A	
Impact of additional personnel on existing space:		
N/A		
Other requirements not mentioned above: N/A		

 Department Head Signature Mae Farmer

 Date: 10-19-09